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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,398	12/15/2005	Ingemar Rydell	ANDPAT/200/PC/US	4542
2543 7590 11/16/2007 ALIX YALE & RISTAS LLP 750 MAIN STREET SUITE 1400 HARTFORD, CT 06103			EXAMINER LU, JIPING	
			ART UNIT 3749	PAPER NUMBER
			MAIL DATE 11/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/539,398	Applicant(s) RYDELL ET AL.	
	Examiner Jiping Lu	Art Unit 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/6/07 & 8/30/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-29 and 32-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-29, 32-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 32-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heine et al. (U. S. Pat. 5,967,770) in view of Bergstrom (U. S. Pat. 4,253,247).

Heine et al. show a device for drying or heat treating a web-formed material 18 having a width and a surface comprising a gas-permeable dryer screen 21 transporting the web-formed material 18 in a direction of transport, at least one fan 27 defining high and lower-pressure sides of the web-formed material 18, the at least one fan 27 blowing a hot process air against the web-formed material 18 and drawing the process air through the web-formed material to dry said web-formed material 18, at least one distribution member 4 located proximate to the at least one fan and distributing the process air, a pressure-drop generating member 32, a chamber (not numbered, see Fig. 2) surrounding the at least one fan 27 and having an opening (not numbered, see Fig. 2) which are arranged same as claimed. However, Heine et al. do not disclose a distribution member comprising an arcuate perforated, sheet-formed element and disposed exterior to the chamber and enclosing the opening. Heine et al. also do not disclose the opening of the chamber having a length smaller than the width of the opening and the claimed various shape of the distribution member and perforation shape. Bergstrom teaches a drying device with a slotted, arcuate distribution member 60 located proximate to the opening 108 of a chamber 36 for controlling the flow. Therefore, it would have been obvious to one having ordinary skill in

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the art at the time the invention was made to modify the drying device of Heine et al. to include an arcuate perforated, sheet-formed distribution member as taught by Bergstrom in order to control the air flow. With regard to the claimed width and length of the chamber opening and the various shape of the distribution element, it would have been an obvious matter of design choice to design the chamber opening with any desired width and length and to design the distribution element with desired shape and having any desired perforation shape in order to obtain optimum drying result, since applicant has not disclosed that the claimed width and length of the chamber opening and the claimed various shape of the distribution member and the perforation shape solve any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill in the art and it appears that the claimed features do not distinguish the invention over similar features in the prior art.

3. Claims 32-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ronchi. (U. S. Pat. 5,337,586) in view of Bergstrom (U. S. Pat. 4,253,247).

Ronchi shows a device for drying or heat treating a web-formed material 12 having a width and a surface comprising a gas-permeable dryer screen (not numbered, see Fig. 1, upper surface of 10B) transporting the web-formed material 12 in a direction of transport, at least one fan 19 defining high and lower-pressure sides of the web-formed material 12, the at least one fan 19 blowing a hot process air against the web-formed material 18 and drawing the process air through the web-formed material 12 to dry said web-formed material 12, at least one distribution member 25 located proximate to the at least one fan and distributing the process air, a pressure-drop generating member 23, a chamber (not numbered, see Fig. 3) surrounding the at least one fan 19 and having an opening (at 21) which are arranged same as claimed. However, Ronchi et

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al. do not disclose a distribution member comprising an arcuate perforated, sheet-formed element. Ronchi et al. also do not disclose the opening of the chamber having a length smaller than the width of the opening and the claimed various shape of the distribution member. Bergstrom teaches a drying device with a slotted, arcuate distribution member 60 located proximate to the opening 108 of a chamber 36 for controlling the flow. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the drying device of Heine et al. to substitute the arcuate perforated, sheet-formed distribution member of Bergstrom for the air distribution member 25 of Ronchi in order to uniformly control the air flow. With regard to the claimed width and length of the chamber opening and the various shape of the distribution element and the shape of the perforations, it would have been an obvious matter of design choice to design the chamber opening with any desired width and length and to design the distribution element with desired shape and having any desired shape of the perforations in order to obtain optimum drying result, since applicant has not disclosed that the claimed width and length of the chamber opening and the claimed various shape of the distribution member and perforation shape solve any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill in the art and it appears that the claimed features do not distinguish the invention over similar features in the prior art.

Allowable Subject Matter

4. Claims 21-29 are allowed.

Response to Arguments

5. Applicant's arguments filed on 8/6/07 with respect to claims have been considered but are not persuasive to overcome the rejection. First, claims presented fail to structurally define over the prior art references. Second, on pages 7-8 of the Remarks regarding claims 21-29, the applicant arguments are found persuasive. Claims 21-29 are allowed. Third, on pages 9-10 of Remarks, the applicant argues that the patent to Heine does not teach the perforated plates proximate to the high-pressure side of the web-formed material. The examiner disagrees. Heine patent does show a pressure-drop generating member 32 disposed proximate to the high-pressure side of the web-formed material. The spacing between the perforated plate and the web-formed material for locating the tubes 10, 11 and 12 does not teach away from locating pressure-drop generating member 32 proximate to the high-pressure side of the web-formed material. Applicant also argues that patent to Heine or Bergstrom does not disclose a chamber surrounding at least one fan extends "substantially across the width of the web-formed material" and that the chamber has "a limiting surface substantially parallel to the surface of the web-formed material, the limiting surface having an opening extending substantially across the width of the web-formed material" because there is nothing in Heine or Bergstrom that discloses such structure and the all of the drawings of the Heine or Bergstrom reference show only the longitudinal extension of the drying chambers in the direction of travel of the web. Examiner disagrees. Drawings of Heine or Bergstrom clearly show the fan is housed in a chamber. It is inherent that a chamber has a width.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, STEVEN B. MCALLISTER can be reached on 571 272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jiping Lu
Primary Examiner
Art Unit 3749

J. L.